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5 Attorneys for Defendant CAPPO
MANAGEMENT XXIII, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

9 BENJAMIN FRIEDENBERG,
10 Plaintiff,
11 vs.
12 CAPPO MANAGEMENT XXIII, INC., a
13 corporation; CHRIS O'CONNELL, an
individual; and DOES ONE through
TWENTY,
Defendants

CASE NO. CV12 6206 HRL

STIPULATION OF DISMISSAL AND ORDER

[Fed. R. Civ. P. 41(a)(1)(A)(ii)]

IT IS HEREBY STIPULATED AND AGREED by and between plaintiff, BENJAMIN FRIEDENBERG, and defendants, CAPPO MANAGEMENT XXIII, INC. and CHRIS O'CONNELL, by and through their respective attorneys of record and pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure that the above-captioned action, having been settled by the parties, be dismissed with prejudice.

20 | DATED: February 27, 2013

LAW OFFICES OF TERRY L. BAKER

21 By: /s/ Terry L. Baker
22 Terry L. Baker
23 Attorneys for Plaintiff BE
FRIEDENBERG

24 | DATED: February 27, 2013

LEWIS BRISBOIS BISGAARD & SMITH LLP

25 By: /s/ Roger S. Raphael
26 Roger S. Raphael
27 Attorneys for Defendant CAPPO
MANAGEMENT XXIII, INC. dba OCEAN
HONDA

IT IS SO ORDERED, that the Complaint of plaintiff BENJAMIN FRIEDENBERG against defendants, CAPPO MANAGEMENT XXIII, INC. and CHRIS O'CONNELL is hereby dismissed with prejudice.

DATED: February __, 2013

By: _____

Honorable Judge Howard R. Lloyd
United States District Court Judge